



## **Board of Zoning Appeals**

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

**April 30, 2018**

**9:30**

**Calendar No. 18-73:**

**7602 New York Ave./Waste  
Collection Appeal**

**Ward 2**

**Kevin L. Bishop**

Paul Appleton, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the hearing examiner in Parking Violations Bureau on March 7, 2018 concerning the City of Cleveland Waste Collection issuance of Civil Infraction Ticket Number WC00373076 issued November 17, 2017 regarding failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances. (Filed March 19, 2018)

**9:30**

**Calendar No. 18-74:**

**14209 Triskett Rd.**

**Ward 16**

**Brian Kazy  
9 Notices**

Christina Green, owner, proposes to erect a two story frame accessory garage in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 353.05 which states that an accessory building shall not exceed (15) fifteen feet or the distance to a main building on an adjoining lot in a Residence District whichever is less; the proposed two story garage is 18 feet 6 inches high. (Filed March 20, 2018)

**9:30**

**Calendar No. 18-78:**

**4318 Bailey Avenue**

**Ward 3**

**Kerry McCormack  
13 Notices**

Cleveland Bricks, owner, proposes to build a second story addition and attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in a Two-Family District the allowable maximum gross floor area is ½ of the lot area or in this case 1,035 square feet and the appellant is proposing proposed gross floor area is 1406 square feet.
2. Section 357.08(b)(1) which states that in a Two Family district the rear yard shall not be less than the height of the main building which is 35'; proposed rear yard with attached garage addition will be 8'.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than 10' from a main building on an adjoining lot in a residence district; the proposed garage is within 8' of an existing residence. (Filed April 6, 2018)

**9:30**

**Calendar No. 18-79:**

**2441 Thurman Avenue**

**Ward 3**

**Kerry McCormack**

**15 Notices**

Nicolet & Crystal Bortan, owners, propose to erect a two-family residence in a B1 Two-Family Residential District. The owners appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the maximum gross floor area allowed is 990 square feet and the proposed gross floor is 995 square feet.
2. Section 355.04(b) which states that the minimum lot width for a two family dwelling is 50 feet; proposed lot width is 31 feet.
3. Section 355.04(b) which states that the minimum lot area for a two family dwelling is 6000 square feet and the proposed lot area is approximately 1980 square feet.
4. Section 357.08(b)(1) which states that in a Residence District the depth of a rear yard shall be not less than fifteen percent (15%) of the depth of the lot but in no case less than twenty (20) feet.
5. Section 357.09(b)(2)(B) which states that the width of any such interior side yard shall in no case be less than one fourth (1/4) the height of the main building on the premises; proposed side yard is three feet. (April 6, 2018)

**9:30**

**Calendar No. 18-80:**

**12502 Larchmere Blvd.**

**Ward 6**

**Blaine A. Griffin**

**29 Notices**

Margaret Mueller, owner, and Start LLC., prospective purchaser, proposes to expand restaurant use to include outdoor seating, firepit and bocce ball court in a C2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04(f) which states that off-street parking is required at a rate of 1 space for each 4 seats, plus 1 space for each employee is required for restaurants. Therefore, with the addition of 48 seats at least 12 spaces are required and no parking is proposed.
2. Section 343.23 which states that PRO district reduces required parking by 1/3, therefore the required parking is a total of eight (8) additional spaces and no parking is proposed. (Filed April 10, 2018)

**9:30**

**Calendar No. 18-81:**

**12504 Larchmere Blvd.**

**Ward 6**

**Blaine A. Griffin**

**29 Notices**

Margaret Mueller, owner, and Start LLC., prospective purchaser, proposes to expand restaurant use to include outdoor seating, firepit and bocce ball court in a C2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

3. Section 349.04(f) which states that off-street parking is required at a rate of 1 space for each 4 seats, plus 1 space for each employee is required for restaurants. Therefore, with the addition of 48 seats at least 12 spaces are required and no parking is proposed.
4. Section 343.23 which states that PRO district reduces required parking by 1/3, therefore the required parking is a total of eight (8) additional spaces and no parking is proposed.(Filed April 10, 2018)

**POSTPONED FROM FEBRUARY 5, 2018**

**9:30**

**Calendar No. 17-208:**

**12603 Buckeye Road**

**Ward 6**

**Blaine A. Griffin**

**27 Notices**

Sunnah and Carlin McNary, owners, propose to add truck rental use to an existing, non-conforming barber shop use in a C2 Residence Office District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified

1. Section 337.10 which states that truck rental use for vehicles exceeding six thousand (6,000) pounds of gross vehicle weight not permitted in Residence Office District but first permitted in Semi- Industry District per 343.11(b)(2)(I)(4) and section 345.03(c)(1).
2. Section 327.02 which states that a scaled, dimensioned site plan showing all features of the property including parking spaces, lot lines, and landscaping, among other features, is required for review.
3. Section 341.02(a) which states that City Planning approval is required for any permit affecting exterior site design in a design review district. (Filed July 5, 2017-Testimony taken) *THIRD POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A MEDICAL ISSUE. SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR MORE TIME TO SUBMIT CONSOLIDATION PLAN. FIRST POSTPONEMENT MADE AT THE REQUEST OF CITY PLANNING COMMISSION TO ALLOW FOR TIME FOR A CONSOLIDATION PLAN TO BE SUBMITTED.*